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September 15, 2008

Honorable Harold A. Ackerman  
United States District Court  
Frank R. Lautenberg U.S.P.O. Courthouse Bldg.  
Room 305  
P.O. Box 999  
Newark, NJ 07101-0999

RE: USA vs. Daniel DiPaolo  
Case No. 2:98-cr-00364-HAA

Dear Judge Ackerman:

Having reviewed the opposition memorandum from the United States Attorney's Office, I am in agreement that the victims should be notified on the motion. Accordingly, I am withdrawing the motion at this time with the expectation that it will be re-filed shortly once I have addresses for all victims and I complete research on the other issues raised in the government's memorandum.

Thank you for your courtesies in this matter.

Cordially,  
**BENEDICT AND ALTMAN**

/s/ Joseph J. Benedict  
BY: JOSEPH J. BENEDICT

JJB/js

Cc: Lorraine S. Gerson, AUSA  
Leah A. Bynon, AUSA – Financial Litigation Unit  
Daniel DiPaolo

MOTION NO. 24 WITHDRAWN  
SO ORDERED  
Harold A. Ackerman  
U.S.D.J.  
9/16/08